



Atty Docket: N=3A

Sector #3

In re Application
NIELSEN, Soren et al

Serial No.: 09/845,716

Filed: May 02, 2001

For: USE OF ALPHA-MSH AND EPO FOR PREVENTING OR...

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Division

ATTN: Box Missing Parts

Washington, D.C.

September 24, 2001

Confirmation No. 3819

LATE SUBMISSION OF FILING FEE AND/OR DECLARATION

HON. COMMISSIONER OF PATENTS AND TRADEMARKS

Washington, D.C. 20231

Sir: The present communication is in response to the "NOTICE TO FILE MISSING PARTS OF APPLICATION..." dated June 22, 2001.

[XX] Attached hereto is an executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title, filing date, serial number and priority information.

[] Attached hereto is an executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title, serial number, filing date and priority information, and to which is attached a duplicate copy of the application as filed.

[XX] Applicant claims small entity status. See 37 CFR 1.27.

[XX] Abstract of the technical disclosure.

[XX] Substitute drawings in compliance with 37 CFR 1.84.

[] A Communication.

[XX] Preliminary Amendment

[] Sequence Listing (hardcopy), and computer-readable form of Sequence Listing.

[] A certified copy of priority document no. _____, filed _____, is also attached. Priority is claimed.

[] An Information Disclosure Statement with 08A-1449 and _____ references is also attached.

[] Change of Address

	(Col.1)	(Col. 2)	Small Entity			OTHER THAN A SMALL ENTITY	
FOR:	NO. FILED	NO. EXTRA	RATE	FEE	OR	RATE	FEE
BASIC FEE				\$355.00	OR		\$
TOTAL CLAIMS	11 - 20	0	X 9 =	\$	OR	X 18 =	\$
INDEP. CLAIMS	2 - 3	0	X 40 =	\$	OR	X 80 =	\$
[] Multiple claims presented			+ 135 =	\$	OR	+ 260 =	\$
If the difference in Col. 1 is less than 0, enter "0" in Col. 2			TOTAL	\$355.00		TOTAL	\$

Note: By preliminary amendment, multiple dependency has been eliminated.

The following fee is calculated below:

[] Surcharge for late filing of English translation \$ 130.00

[XX] Late filing of Declaration surcharge in the amount of: Small Entity [XX] \$65.00 Other than Small Entity [] \$130.00

[XX] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a).

The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

Small Entity

Response Filed Within

[XX] First - \$ 55.00

[] Second - \$ 195.00

[] Third - \$ 445.00

[] Fourth - \$ 695.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

[] First - \$ 110.00

[] Second - \$ 390.00

[] Third - \$ 890.00

[] Fourth - \$1,390.00

Month After Time Period Set

[] Conditional Petition for Extension of Time:

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[XX] Credit Card Payment Form (PTO 2038) is authorizing payment in the amount of \$475.00, is attached.

[] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

09/25/2001 SDENB031 00000028 09845716

02 03:215

55.00 02

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/845,716	05/02/2001	Soren Nielsen	NIELSEN3A

001444
BROWDY AND NEIMARK, P.L.L.C.
624 NINTH STREET, NW
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CONFIRMATION NO. 3819

FORMALITIES LETTER



OC00000006218059

Date Mailed: 06/22/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

DOCKETED
MSP=22AU2001

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$270.
 - \$270 for multiple dependent claim surcharge.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1110.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

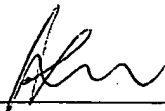
- Substitute drawings in compliance with 37 CFR 1.84 because:

09/25/2001 SDEHGB1 00000028 09045716	
01 FC:201	355.00
02 FC:205	65.00

 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).

09/25/2001 09:45:16

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

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